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TP 1624

Marine Casualty Investigations

Enquêtes sur les accidents maritimes

Investigation Report to the Minister pursuant to sections 542 or 545 of the Canada Shipping Act

Rapport d'investigation au Ministre conformément aux articles 542 ou 545 de la Loi sur la marine marchande du Canada

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REPORT OF INVESTIGATION INTO THE CIRCUMSTANCES ATTENDING THE LOSS OVERBOARD OF A CREWMEMBER FROM THE CANADIAN CRABBER "L'OCEANIQUE" IN THE GULF OF ST. LAWRENCE, ON MAY 22, 1986.

REPORT No. 441

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REPORT OF INVESTIGATION INTO THE CIRCUMSTANCES ATTENDING THE LOSS OVERBOARD OF A CREWMEMBER FROM THE CANADIAN CRABBER "L'OCEANIQUE" IN THE GULF OF ST. LAWRENCE, ON MAY 22, 1986.

Particulars of Vessel

Name	"L'OCEANIQUE"
Official Number	806138
Port of Registry	Quebec
Gross Tonnage	65
Net Tonnage	36
Length	15.45 m (50.7 ft)
Breadth	5.59 m (18.3 ft)
Depth	3.33 m (10.9 ft)
Type	Fishing vessel
Built	1986, of fibre-glass, at Saint-Antoine-de-Tilly
Propulsion	One (1) turbo Cummins 6 cylinder diesel engine of 500 b.h.p. driving a fixed pitch propeller, 10 knots.
Owner	Denise Quinn Syvrais Port-Daniel, Que.

Navigating Equipment

Radar 1	JRC, with a range of ¼ to 48 M
Radar 2	JRC (colour), with a range of ¼ to 72 M
Direction Finder	Goniometer with a colour, screen, JRC NWU 52R
Loran C	two (2) JRC, JNA-761
VHF	(very high frequency) radio, Sailor RT 2047

SSB	(single side band) radio, Marconi CH 125 S
Magnetic Compass	Ritchie
Autopilot	Robertson AP 40
Log	Navigator

NOTE: 1. All times in this report are expressed in Eastern Daylight Saving Time (UTC minus 4 hours).

2. A glossary of abbreviations and terms can be found following the Findings in this report.

Background

On the morning of May 22, 1986, the crabber "L'OCEANIQUE" was steaming at slow speed while setting crab pots (traps) on Bradelle Bank.

At about 1045, a crab pot weighing 68 kg (150 lb), was being set, and had just been released over the side of the vessel, when a crewmember had his right leg caught in a loop of the rope which was attached to the pot and was running out over the side at a considerable speed as the pot fell to the bottom. The victim was quickly lifted by the rope (pot warp) and pulled over the bulwark and into the sea.

The crew of the crabber made many attempts to rescue the victim, but they were unsuccessful and he disappeared below the surface of the water.

The "L'OCEANIQUE" stood by in the position for about one hour without again catching sight of the victim who is still listed as missing and presumed drowned.

Particulars of Deceased

Name	Roger Syvrais
Position aboard Vessel	Seaman/Fisherman
Age	23
Address	Chandler, Que.

Narrative

The "L'OCEANIQUE" is a fibre-glass crabber recently built in Saint-Antoine-de-Tilly and equipped with modern electronic aids to navigation. She was put into service on May 13, 1986, with 150 crab pots aboard to fish for crab on Bradelle Bank.

At about 2100, on May 21, 1986, the "L'OCEANIQUE", with five crewmembers on board, including the skipper, set out from Grande-Rivière to the Bradelle Bank to fish for crab.

On the morning of May 22, the pots were hauled in and, because of the small catch the crew decided to relocate a number of these pots about 10 miles to the south-west.

The visibility was good though the skies were overcast, and there was some rain. The sea was glassy with a low swell. The recorded air temperature was 5°C and the water temperature was 6°C.

About thirty pots were stowed on the afterdeck in two stacks and the pot warps were set out along the port bulwark and on the trap-setting platform on the starboard side.

Each time a pot was put overboard the skipper, who was in the wheel-house, would record the co-ordinates of the position in the memory bank of the Loran C in order to be able to relocate the pot at a later date.

The four crewmembers, who were working on the afterdeck, were not wearing personal flotation devices. The pots were brought, one by one to the trap-setting platform where they were baited before being dropped over the side. While the pots were being released over the side, the speed of the vessel was maintained at about four knots. As soon as the pots were released, the pot warp would start to pay out at a fast rate, from port to starboard, across the deck. During this time the next pot was being brought to the trap-setting platform. Each pot is secured to a 76.2 m (250 ft) long 1.6 mm (5/8 in) polypropylene rope the end 12 m of which are weighted so that the rope hangs vertically below the buoy.

At about 1045, a pot was brought to the trap-setting platform, then baited and heaved over the side. The victim, Roger Syvrais, was standing forward of the trap-setting platform on the starboard side and preparing to bait the next pot; the pot warp at his feet was rapidly running out over the side. Suddenly, the other crewmembers, who were about to bring up the next pot, saw the victim's right leg being

lifted and the victim being jack-knifed over the bulwark to disappear beneath the surface of the water.

The skipper was in the wheel-house recording the co-ordinates in the memory bank of the Loran C when he heard a shout telling him to stop. He rushed to the control station located towards the starboard after end of the wheel-house and stopped the engine. He immediately put the engine astern as he saw the victim trying to swim. As this manoeuvre was being carried out, the victim disappeared below the surface of the water for a few moments and then reappeared. His arms were extended on each side but he seemed to be unconscious. A life buoy was thrown to him but he made no attempt to grasp it. The crew tried to reach him with a boat hook, but the victim was too far from them and he sank beneath the surface.

The accident occurred at about 1045 and the victim, Roger Syvrais, remained afloat for only about 20 to 30 seconds before sinking to the bottom in position Latitude 47°51'18"N, Longitude 63°00'21"W.

The skipper did not report the accident to a shore radio station but remained on the scene, searching for about one hour.

At about mid-day, the "L'OCEANIQUE" headed back towards Grande-Rivière arriving there at about 1815. A detachment from the Quebec Police Force in Pabos was informed of the accident and, in turn, called the MRSC in Quebec City at about 2005.

As soon as the MRSC in Quebec City received the message at 2005, a telex was sent to RCC in Halifax reporting the loss of a crewmember from the "L'OCEANIQUE". ECAREG was advised by RCC Halifax to inform vessels navigating in the area to keep a sharp lookout for a crewmember from the "L'OCEANIQUE" who had been lost overboard.

At the time of writing this report, the victim is still missing and is presumed drowned.

Analysis

1. Short-Term inspection certificate

The crabber "L'OCEANIQUE" was registered in Quebec City on April 22, 1986. She was granted a short-term Inspection Certificate for a commercial fishing vessel, S.I.C. 29, for home trade voyages, class II, Gulf of

St. Lawrence. It was issued on May 22, 1986, and valid to June 5, 1986.

The vessel was issued a short-term certificate for the following reasons:

- results from stability tests had not been submitted;
- a plan for a fixed fire-fighting system had not been presented for approval.
- a modification to the installation of the lightning conductor rods had to be carried out; and
- a boat and fire drill had to be performed in the presence of a surveyor.

2. **Radio station licence**

According to the Ship Station Radio Regulations, vessels of less than 20 m are not required to be equipped with a radiotelephone. However, if a vessel is equipped with such a radio, a radio station licence must be issued by the Department of Communications in accordance with the Radio Act.

In this instance, the "L'OCEANIQUE" measures less than 20 m in length and is voluntarily equipped with radiotelephones but has not obtained a radio station licence pursuant to Section 3 of the Radio Act.

It is stated in A Guide For The Radiotelephone Operator that:

> Any person who establishes a radio station without the benefit of a radio licence is liable, on summary conviction, to a penalty of up to twenty-five hundred dollars ($2,500.00), or to imprisonment for a term not exceeding twelve months.

3. **Radiotelephone operator's restricted certificate**

Part II of the General Radio Regulations pursuant to the Radio Act stipulate in part:

> 78. The apparatus of all radio stations shall be worked only by operators holding Canadian certificates of proficiency...

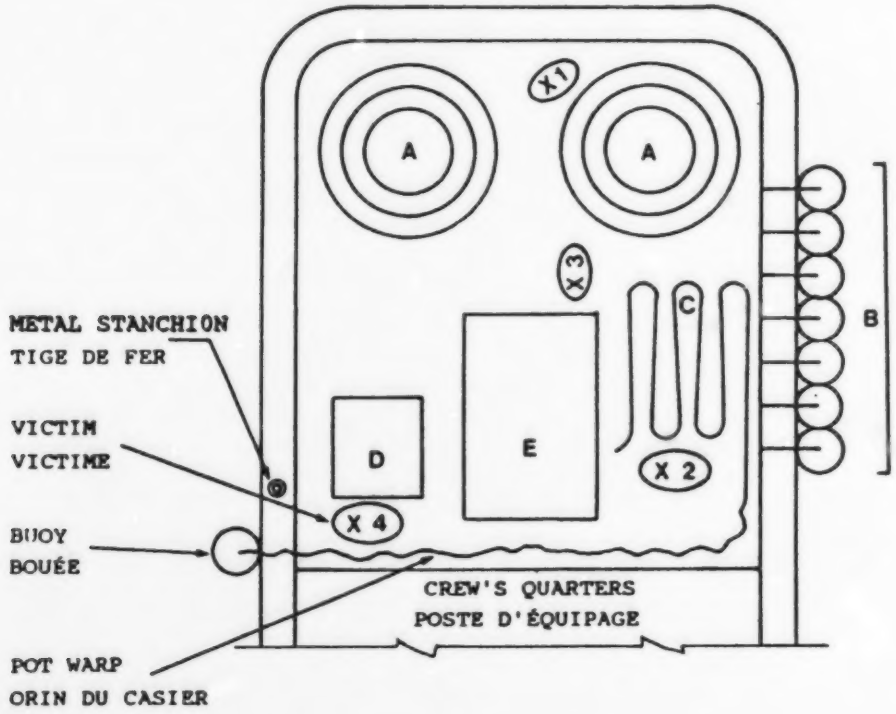
> 88. The holder of a restricted radiotelephone operator's certificate (maritime) may act as a radiotelephone operator on a ship station,...

At the time of the accident, the skipper did not hold a radiotelephone operator's restricted certificate.

4. **Crab pots**

The crab pots on board the "L'OCEANIQUE" were of a circular shape and weighed 68 kg (150 lbs) each. Each pot was joined by a pot warp to its own white buoy on which the fishing permit number No. 8678 was inscribed. At the time of the accident, the pots were being set in about 40 fathoms of water.

5. **Position of the crewmembers and disposition of deck at the time of the accident**



A description of the above figure is as follows:

- near the stern, two stacks of crab pots on the deck, for a total of 27 pots (A);
- white buoys which are used for locating the pots, hang over the side, off the port bulwark (B);
- lengths of rope ranged on deck along the port bulwark, one for each pot; these ropes are used for hauling in the pots (C);
- a trap-setting platform (see D);
- a hatch cover (see E); and
- a metal stanchion about 18 inches high.

At the time of the accident, the "L'OCEANIQUE" had been set to make a speed of four knots, that is 405 ft/min or 6.75 ft/s.

The fishermen X1 and X3 brought the pots one by one to the trap-setting platform (D) while fisherman X2 unhooked from the port bulwark a 'marker buoy' attached to a 250 ft long rope. The victim, fisherman X4, was standing near the trap-setting platform and preparing to bait the next pot while the warp of the pot that had just been heaved over the side rapidly ran out near his feet.

6. Description of the vessel

Evidence suggests that fisherman X1 did not see fisherman X4 fall overboard. However, fisherman X2 saw the victim's right leg being lifted by the rope before seeing him hit the stanchion as he was being pulled over the side. The skipper was immediately asked to stop. At the same time, the pot warp was rove onto the block used for hauling the pots because it was believed that fisherman X4 was still tangled in the rope. Meanwhile, the skipper had stopped the main engine.

While the pot was being raised, fisherman X4 was seen off the starboard side, some distance from the vessel. It is then that the skipper put the main engine to astern. Fisherman X4 swam for a brief moment and then disappeared. He reappeared a little later about 50 ft off the starboard quarter. He had his arms extended and then sank to the bottom. It was about 1045.

7. Dangers of the operation

When pots are put over the side while the vessel is making way at about four knots, the operation becomes dangerous, especially when the next pot is being prepared in a hurry.

The most dangerous place to be during this operation is forward of the trap-setting platform where the victim was standing. He prepared the bait for the next pot as the rope paid out at a rate of 7 ft/s. While moving around in this confined space, he probably put his foot in a bight of the rope which was uncoiling near his feet and he was carried overboard.

8. Attempts at search and rescue

As soon as the victim fell into the water, the skipper who was in the wheel-house, was alerted and immediately stopped the engine. After this, he ran the engine astern to move the vessel towards the victim, who was then visible on the surface of the water.

Meanwhile, a crewmember on the afterdeck threw a life buoy in the direction of the victim. Even though the lifebuoy had been thrown close to the victim, he made no attempt to grasp it. The crew also tried to reach him with a boat hook but unfortunately the "L'OCEANIQUE" was too far away. He sank to the bottom no more than 20-30 seconds after being dragged over the side.

The "L'OCEANIQUE" remained on the scene for about one hour searching for the victim. Before leaving the site and heading for Grande-Rivière, the lifebuoy was retrieved but the orange coloured gloves that had been worn by the victim were left behind.

As soon as the "L'OCEANIQUE" arrived in Grande-Rivière at 1815, the Quebec Police Force in Pabos was informed of the disappearance. At 2005, the Quebec Police Force, stationed in Rimouski, advised the MRSC in Quebec city who in turn advised RCC in Halifax.

Taking into consideration the temperature of the water, and that the RCC in Halifax was advised more than nine hours after the accident, it was considered unlikely that the victim could still be alive at that time. No search was therefore carried out and ECAREG was advised that it should inform vessels navigating in the vicinity that a crewmember from the "L'OCEANIQUE" had disappeared.

9. Reporting of incident

The "L'OCEANIQUE" should have reported the accident to a shore radio station as required by the Shipping Casualties Reporting Regulations.

Nevertheless, because of the state of health of his mother who was also the mother of the victim, the skipper refrained from reporting the accident to a coast radio station. It is reported that she was suffering from a heart ailment and he wanted to inform her of the disappearance of her son in the presence of a physician.

10. Hypothermia

According to research done on the loss of body heat, once cooling begins, the body temperature falls steadily and unconsciousness can occur when the deep body or core temperature drops to about 32 (89.6°F) from the normal 38°C (98.6°F). Cardiac arrest is the usual cause of death when the core temperature cools to below 30°C (86°F).

The figures, based on experimental cooling of average men and women who were holding still in ocean water of 10°C (50°F)and wearing a standard lifejacket and light clothing, predict a survival time of about 2½-3 hours. Predicted survival time is increased by extra body fat.

In this case, the water temperature in the area was 6°C reducing the above mentioned survival time to about two hours.

11. Clothing worn by the victim

At the time of the accident, the victim was wearing a pair of waterproof trousers as well as a pair of green felt-lined rubber boots. The upper part of his body was clothed in a navy blue jacket with a hood. He was also wearing orange coloured gloves.

The victim was known to be a competent swimmer. However, he was not wearing a personal flotation device at the time of the accident. He seemed to be unconscious when he was last seen, briefly, before sinking to the bottom.

12. Possible Injuries

Evidence suggests that the victim struck a vertical metal stanchion which projected above the bulwark when

he was carried over the side by the pot warp.

13. **Cargo on board at the time of the accident**

The "L'OCEANIQUE" had about 908 kg of crab, 908 kg of bait and one tonne of ice on board, in her hold, when she returned to Grande-Rivière after the accident. Also there were 27 crab pots secured on the afterdeck which brought the mass to a total of 1,839 kg. The draught at the stern was 2.74 m.

14. **Qualifications and experience of personnel**

The skipper of the "L'OCEANIQUE" holds a Canadian certificate of competency as fishing master for the Gulf of St. Lawrence, issued in 1977. Also, he holds a certificate of competency as watchkeeping engineer for fishing vessels issued in 1974. He has been fishing for the past 18 years, the last 2 years as skipper. He has been skipper on board the "L'OCEANIQUE" since May 13, 1986.

Fisherman X1, holds a Canadian certificate of competency as fishing master issued in 1969. He has been fishing for the past 15 years and he was skipper of the "BARBARA NO. 1" for 8 years. He has been on board the "L'OCEANIQUE" since May 13, 1986.

Fisherman X2 had fished on board the "MARIO-LYNE" for 2 years and he has been fishing aboard the "L'OCEANIQUE" since May 13, 1986.

Fisherman X3 has been fishing on board the "L'OCEANIQUE" since May 13, 1986, and was on board the "MARIO-LYNE" for 2 years.

Findings

It would appear that the loss, at sea, of a crewmember from the "L'OCEANIQUE" on May 22, 1986, during the setting of crab pots, was caused by the following factors:

- putting crab pots over the side as the "L'OCEANIQUE" proceeded at nearly 4 knots made the operation dangerous because the working space on the afterdeck was restricted and congested;

- the victim was standing in a dangerous location because the rope at his feet was running out rapidly over the side;

- when taken over the side by the pot warp, the victim was injured as he struck the metal stanchion on the bulwark; and

- because he was not wearing a personal flotation device and because of the cold temperature of the water, the victim quickly disappeared below the surface of the water.

Other findings

The "L"OCEANIQUE" was not in possession of a radio station licence issued in accordance with the Radio Act.

The skipper did not hold a Communications Canada Radiotelephone Operator's Restricted Certificate and therefore probably was not aware of the proper procedure for communicating by radiotelephone in emergency situations.

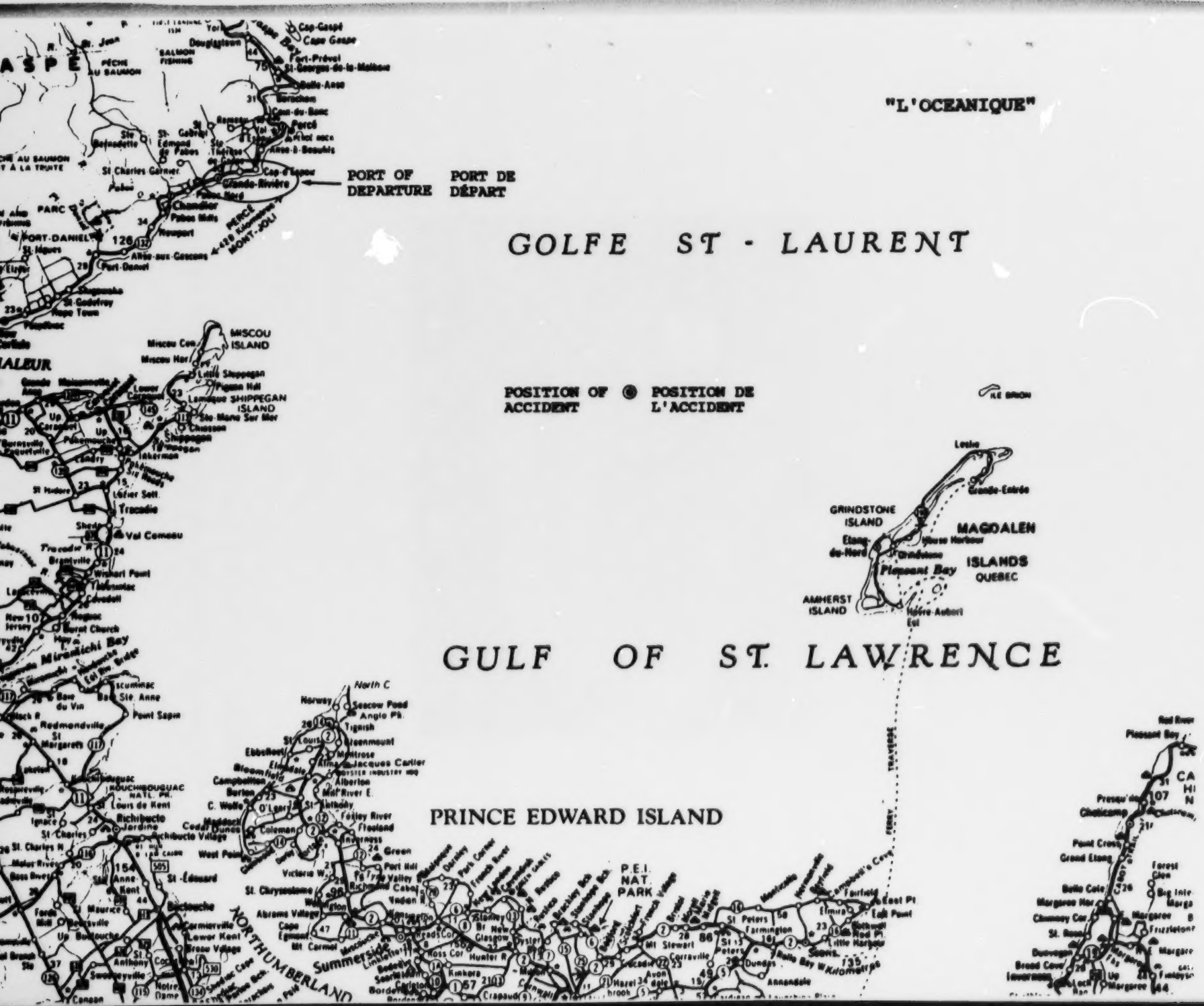
The accident was not reported to a Canadian radio ship reporting station as required by the Shipping Casualties Reporting Regulations.

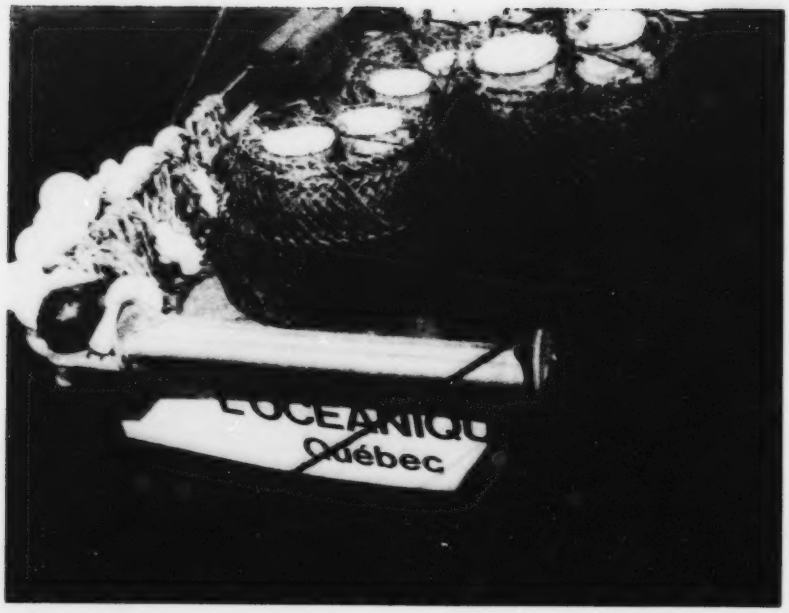
The rescue attempts by the crewmembers of the "L'OCEANIQUE" were carried out promptly.

OTTAWA, ONTARIO
NOVEMBER, 1986.

Glossary

ECAREG	Eastern Canada Traffic Zone Regulations respecting traffic movements within the eastern waters of Canada and east of the meridian of 66°00'00" west longitude in the St. Lawrence River
Hypothermia	Lowering of deep body temperature that places the body in a general state of shock which in turn depresses normal body functions before cardiac arrest
MRSC	Marine Rescue Sub Centre
Pot warp	Rope between the pot (trap) and the surface buoy and used for raising the pot
RCC	Rescue Co-ordination Centre
SSB	Single Side Band
UTC	Co-ordinated Universal Time
VHF	Very high frequency (radiotelephone)


"L'OCEANIQUE"
PORT OF DEPARTURE
PORT DE DÉPART
GOLFE ST - LAURENT
POSITION OF ACCIDENT
POSITION DE L'ACCIDENT
GULF OF ST. LAWRENCE
PRINCE EDWARD ISLAND
MISCOU ISLAND
SHIPPEGAN ISLAND
GRINDSTONE ISLAND
MAGDALEN ISLANDS
QUEBEC
AMHERST ISLAND
Pleasant Bay
Miramichi Bay
NORTHUMBERLAND
Summerside
P.E.I. NAT. PARK
TRAVERSE FERRY



"L'OCEANIQUE" at the wharf in Grande-Rivière on May 24, 1986

"L'OCEANIQUE" au quai de Grande-Rivière le 24 mai 1986

Clothing similar to that worn by the victim
on May 22, 1986

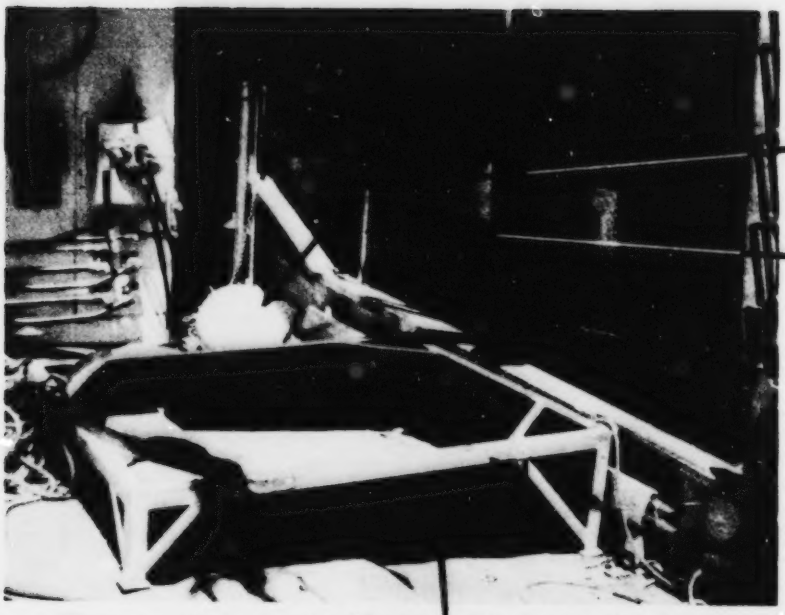
Vêtements analogues à ceux que portait la victime
le 22 mai 1986

Boots similar to those worn by the victim
on May 22, 1986

Bottes analogues à celles que portait la victime
le 22 mai 1986

View of afterdeck

Vue du pont arrière



Position of victim

Position de la victime

Metal rod

Tige de fer

Trap-setting platform

Plateau de lancement

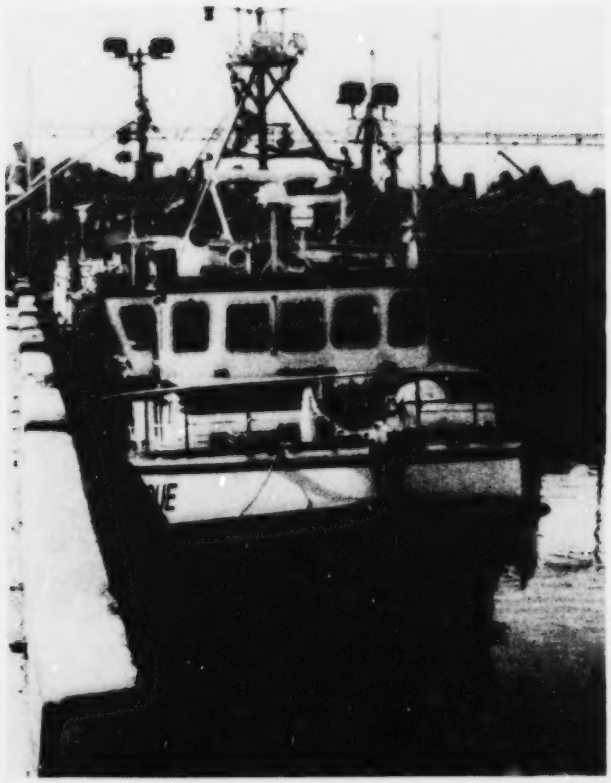
Cleat for securing trap line

Taquet de lancement

Trap line

Câble du casier

PHOTOGRAPHIES



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